REMARKS

The present communication is submitted in response to the Office Action dated May 2, 2008, in which a shortened statutory period for reply was set for one-month, in connection with the above-referenced application. In view of the following remarks, reconsideration of the restriction is respectfully requested.

In the Office Action the claims have been restricted between the following inventions set forth below:

Group I, claims 38-58, 61-63 and 65 drawn to a method of preparing a prepared cell, comprising encapsulating said cell in a cell encapsulation medium;

Group II, claims 59-60, 64 and 66 drawn to a method of providing cell therapy to a patient; and

Group III, claims 67-74, drawn to a kit for cell based therapy comprising an integrin binding partner and instructions.

The Examiner has required election of a single invention for prosecution. The Examiner asserts that the inventions listed as Groups I-III do not relate to a single general inventive concept under PCT Rule 13.1 because under PCT Rule 13.2, they lack a special technical feature which makes a contribution over the prior art. Particularly, the Examiner asserts that Ramdi et al. (1993) clearly reads on the technical feature shared by the recited groups.

The Applicants hereby elect for prosecution, claims 38-58, 61-63 and 65 drawn to a method of preparing a prepared cell, comprising encapsulating said cell in a cell encapsulation medium.

The election is made **with** traverse for the reasons set forth below.

The Applicants contend that no serious burden exists on the Examiner by examining the claims of Groups I, II and III in a single application. When searching and examining the Group I claims (i.e., a method of preparing a prepared cell, comprising encapsulating said cell in a cell encapsulation medium), the Examiner will also encounter subject matter set forth in the claims of Group II (i.e., a method of providing cell therapy to a patient) as well as the subject matter set forth in the claims of Group III (i.e., a kit for cell based therapy comprising an integrin binding partner and instructions). Therefore, a

separate search would not be required. In view of the above comments, it is Applicants' position that no serious burden exists on the Examiner by examining the claims of Groups I, II and III in a single invention. Accordingly, withdrawal of the Restriction Requirement between Groups I, II and III is respectfully requested.

Should the Examiner have any questions regarding this information, the Examiner is invited to contact the Applicants' undersigned representative by telephone at 412-471-8815.

Respectfully submitted,

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